

REMARKS

Claims 1-14 are pending in this application. Claims 1-3, 6, 7, 9, 10 and 13 have been amended, and claims 8 and 14 have been canceled by the present Amendment. Amended claims 1-3, 6, 7, 9, 10 and 13 do not introduce any new subject matter.

According to an embodiment of the invention, a display device includes a pedestal main body and an arm portion that can be positioned in the same plane to unify the pedestal main body with the arm portion so that the unified pedestal main body and arm portion cover an image display portion. The arm portion can be connected between the main body and the display portion and may be capable of being arranged at an angle with respect to the main body so that the display portion may be fixed in a desired position.

According to an embodiment of the invention, an angle adjusting device includes a stopper with an engaging surface to engage an arm portion. The engaging surface includes a plurality of areas for engaging an engaging portion of the arm so that the arm may be fixed at a plurality of angles with respect to a pedestal. Rotation of the stopper may be caused by rotation of the arm portion.

INFORMATION DISCLOSURE STATEMENT

The Examiner states that the information disclosure statement filed on July 25, 2001 fails to comply with 37 C.F.R. § 1.98(a)(2). Accordingly, an information disclosure statement including copies of the cited references in compliance with 37 C.F.R. § 1.98(a)(2) is submitted herewith.

REJECTIONS UNDER 35 U.S.C. § 102

Reconsideration is respectfully requested of the rejection of claims 1-2 and 7 and

9 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,832,419 ("Mitchell"), claim 8 having been canceled.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the . . . claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989); M.P.E.P. § 2131.

In rejecting claims 1-2 and 7-9 under 35 U.S.C. § 102(b), the Examiner states that Mitchell discloses an arm portion and a pedestal having a main body. However, Mitchell does not disclose a pedestal main body and an arm portion that can be positioned in the same plane so that the arm and main body portions are unified with each other to cover an image display portion, as recited in amended claims 1 and 7. Therefore, Applicants respectfully submit that claims 1-2, 7 and 9 as amended are not anticipated by Mitchell.

Mitchell does not disclose or suggest main body and arm portions that can function to support the display portion when viewing the display portion and that can be arranged to be unified with each other in the same plane to cover an image display portion when the display device is not in use. Indeed, the arm and pedestal main body in Mitchell are not capable of being unified with each other like the arm and display portions shown in Fig. 3(a). The arm and main body portions in Mitchell are separate elements that do not align to cover an image display portion. Further, the image display portion is not covered in Mitchell. The display portion is simply anchored to the frame

and the image portion of the display remains exposed. See Mitchell, col. 3, lines 14-25.

Therefore, unifying the pedestal main body and arm portions to cover an image display portion is neither expressly nor inherently disclosed or suggested in the cited reference.

Since Mitchell does not disclose or suggest this feature, Applicants respectfully submit that independent claims 1 and 7, as amended, are not anticipated by Mitchell. Claim 2 depends from claim 1 and claim 9 depends from claim 7 which, for the reasons stated hereinabove, are submitted not to be anticipated by the cited reference. For at least those very same reasons, claims 2, 8 and 9 are also submitted not to be anticipated by the cited reference. Therefore, Applicants respectfully request that the Examiner withdraw the rejection of claims 1-2, 7 and 9 under 35 U.S.C. § 102(b).

Reconsideration is respectfully requested of the rejection of claims 3 and 6 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,493,216 ("Lin").

In rejecting claims 3 and 6 under 35 U.S.C. § 102(b), the Examiner states that Lin discloses a display portion and a planar protective portion rotatably installed to the display portion around a peripheral portion thereof as a rotation axis. However, Lin does not disclose a planar protective portion having a first section opposing the display portion that functions as a pedestal for supporting the display portion, and a second section opposing the display portion that includes an arm connected between the first section and the display portion and is capable of being arranged at an angle with respect to the first section for fixing the display portion in a desired position, as recited in amended claim 3. Further, not only does Lin not disclose the first and second sections, Lin also does not disclose first and second sections that can be unified to constitute one plane, as recited in amended claim 3.

Lin shows a one-piece machine body opposing the display. Lin does not show or suggest an arm section constituting a portion of the machine body which is capable of opposing the display in the same plane as a pedestal so that the machine body, including the arm section and pedestal, covers the display. Further, Lin fails to teach or suggest an arm section that can be arranged at an angle with respect to the machine body for fixing the display portion in a desired position.

Therefore, Applicants respectfully submit that independent claim 3, as amended, is not anticipated by Lin. Lin does not disclose or suggest the planar protective portion having the first and second sections configured as recited in independent claim 3. These features are neither expressly nor inherently disclosed or suggested in the cited reference.

Accordingly, Applicants respectfully submit that independent claim 3 is not anticipated by Lin. Claim 6 depends from claim 3 which, for the reasons stated hereinabove, is submitted not to be anticipated by the cited reference. For at least those very same reasons, claim 6 is also submitted not to be anticipated by the cited reference. Therefore, Applicants respectfully request that the Examiner withdraw the rejection of claims 3 and 6 under 35 U.S.C. § 102(b).

Reconsideration is respectfully requested of the rejection of claims 10 and 11 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,415,136 ("Knoll").

In rejecting claims 10 and 11 under 35 U.S.C. § 102(b), the Examiner states that Knoll discloses an angle adjusting device including a stopper which performs a rotation action by following the rotation action of the arm, wherein an engaging surface of the

stopper is released while the arm rotates. Applicants respectfully disagree with the Examiner's characterization of the stop devices 50a and 50b disclosed in Knoll. The stop devices in Knoll are used to limit the degree of pivot adjustment. As the CRT in Knoll is pivoted, a lug on a journal contacts the stop devices to prevent further rotation. See Knoll, col. 7, lines 33-39 and Fig. 6. Unlike the stopper according to an embodiment of the present invention, the stop devices in Knoll do not rotate and are simply located at the ends of two ridges to meet the lug to stop rotation of the CRT.

In addition, Knoll does not disclose or suggest a stopper having an engaging surface that includes a plurality of areas for engaging an engaging portion on the arm to fix the arm at a plurality of angles with respect to the pedestal, as recited in amended claim 10. The stop devices in Knoll are inserted to block movement by contacting the lug, whereas the stopper according to an embodiment of the present invention, includes multiple areas for engaging and fixing the arm portion at multiple angles.

Therefore, Applicants respectfully submit that independent claim 10, as amended, is not anticipated by Knoll. Knoll does not disclose or suggest the stopper, as recited in independent claim 10. The configuration thereof is neither expressly nor inherently disclosed or suggested in the cited reference.

Claim 11 depends from claim 10 which, for the reasons stated hereinabove, is submitted not to be anticipated by the cited reference. For at least those very same reasons, claim 11 is also submitted not to be anticipated by the cited reference. Therefore, Applicants respectfully request that the Examiner withdraw the rejection of claims 10 and 11 under 35 U.S.C. § 102(b).

Reconsideration is respectfully requested of the rejection of claim 13 under 35

U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,498,721 ("Kim"), claim 14 having been canceled.

Applicants respectfully submit that claim 13 as amended is not anticipated by Kim. Claim 13 has been amended to recite a second member, wherein rotation of the second member around a second rotation axis is caused by rotation of a first member around a first rotation axis. As shown in Fig. 11 of Applicants' disclosure, the rotation of the first member causes rotation of the second member. Kim does not disclose or suggest a second member whose rotation is caused by the rotation of a first member, as recited in independent claim 13. Kim merely shows a cover 12 which pivots about a hinge and an auxiliary display 26 which can pivot to an open position. Kim neither expressly nor inherently discloses or suggests rotation of the cover caused by rotation of the auxiliary display or vice versa.

Since Kim does not disclose or suggest a second member whose rotation is caused by the rotation of a first member, Applicants respectfully submit that claim 13 is not anticipated by Kim. Therefore, Applicants respectfully request that the Examiner withdraw the rejection of claim 13 under 35 U.S.C. § 102(e), claim 14 having been canceled.

REJECTIONS UNDER 35 U.S.C. § 103(a)

Reconsideration is respectfully requested of the rejection of claims 4 and 5 under 35 U.S.C. § 103(a) as being unpatentable over Lin. Applicants respectfully submit that the amendments made to independent claim 3 render claim 3 and claims 4 and 5 dependent thereon, patentable over the cited reference.

As stated above, Applicants respectfully submit that Lin fails to teach or suggest

a planar protective portion having a first section opposing the display portion that functions as a pedestal for supporting the display portion, and a second section opposing the display portion that includes an arm connected between the first section and the display portion and is capable of being arranged at an angle with respect to the first section for fixing the display portion in a desired position, as recited in amended claim 3. Further, not only does Lin not disclose the first and second sections, Lin also does not disclose first and second sections that can be unified to constitute one plane, as recited in amended claim 3.

Lin does not show or suggest an arm section constituting a portion of the machine body which is capable of opposing the display in the same plane as a pedestal so that the machine body, including the arm section and the pedestal, covers the display. Indeed, Lin teaches away from this configuration by showing a one-piece machine body and failing to disclose an arm section that can be arranged at an angle with respect to the machine body.

Therefore, it is respectfully submitted that the cited reference does not disclose or suggest the first and second sections planar protective portion, as defined in newly amended claim 3. It is respectfully submitted that it would not have been obvious to modify Lin to develop same.

Applicants respectfully submit that the embodiment of the invention as defined in amended claim 3 is patentable over Lin. Because claims 4 and 5 depend from claim 3, claims 4 and 5 are also submitted to be patentably distinct over the cited reference. As such, Applicants request that the Examiner withdraw the rejection of claims 4 and 5 under 35 U.S.C. §103(a).

Reconsideration is respectfully requested of the rejection of claim 12 under 35 U.S.C. § 103(a) as being unpatentable over Knoll. Applicants respectfully submit that the amendments made to independent claim 10 render claim 10 and claim 12 dependent thereon, patentable over the cited reference.

As stated above, Applicants respectfully submit that Knoll fails to teach or suggest a stopper having an engaging surface that includes a plurality of areas for engaging an engaging portion on the arm to fix the arm at a plurality of angles with respect to the pedestal, as recited in amended claim 10.

Knoll shows stop devices which are located at the ends of two ridges to meet a lug to prevent rotation of a CRT, but does not disclose or suggest a stopper including multiple areas for engaging and fixing a arm portion at multiple angles with respect to a pedestal, as recited in amended claim 10.

Therefore, it is respectfully submitted that the cited reference does not disclose or suggest the stopper, as defined in newly amended claim 10. It is respectfully submitted that it would not have been obvious to modify Knoll to develop same.

Applicants respectfully submit that the embodiment of the invention as defined in amended claim 10 is patentable over Knoll. Because claim 12 depends from claim 10, claim 12 is also submitted to be patentably distinct over the cited reference. As such, Applicants request that the Examiner withdraw the rejection of claim 12 under 35 U.S.C. §103(a).

Applicants note that an Associate Power of Attorney is filed herewith giving the undersigned full power to prosecute the instant application and to transact all business in the Patent Trademark Office connected therewith.

An early and favorable reconsideration is earnestly solicited. If the Examiner has any further questions or comments, it is suggested that the Examiner telephone Applicants' Attorney to reach a prompt disposition of this application.

Respectfully submitted,



Michael F. Morano
Reg. No. 44,952
Attorney for Applicants

F. CHAU & ASSOCIATES, LLP
1900 Hempstead Turnpike
Suite 501
East Meadow, NY 11554
(516) 357-0091